

PATENT

#9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Thiele et al.
SERIAL NO : 09/318,080
FILED : May 25, 1999
TITLE : NOVEL ACETALDEHYDE AND MALONDIALDEHYDE PROTEIN
ADDUCTS AS MARKERS FOR ALCOHOL LIVER DISEASE

Grp./A.U. : 1642
Conf. No. : 9882
Docket No. : P00645US2

**PETITION FOR DECISION ON A QUESTION NOT SPECIFICALLY PROVIDED FOR
UNDER 37 C.F.R. 1.182**

Assistant Commissioner for Patents
Attn: Office of Petitions
Washington, D.C. 20231

Dear Sir:

In response to the Notice of Incomplete Nonprovisional Application mailed for this application on March 25, 2002, Applicants hereby petition for original filing date of April 8, 1997.

Applicants request that the above-identified application be accorded the filing date of the parent application, 08/817,018, filed April 8, 1997, now U.S. Patent 5,939,535, which was incorporated by reference in its entirety into the above-identified case. See attached transmittal letter.

06/07/2002 AWONDAF1 00000002 09318080

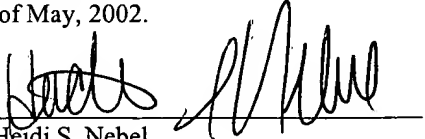
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CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this document and the documents referred to as enclosed therein are being transmitted via facsimile to: Technology Center 1600 (Art Unit 1642) 703-872-9306. Attn: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 29 day of May, 2002.


Heidi S. Nebel

The above-identified application was to be filed as a divisional, however, the specification inadvertently contained different pages from that of the parent application.

Applicants are therefore submitting a substitute specification which is the same as the parent application.

Applicants hereby submit the omitted item listed on the Notice of Incomplete Nonprovisional Application:

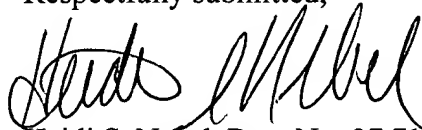
Complete copy of the substitute specification (26 pages).

A check in the amount of \$130.00 is enclosed to cover the petition fee.

As a result of requesting that the application be entitled to a filing date, Applicants respectfully request a refund of the Petition Fee should the application be found to be entitled to such a filing date.

Consequently, in submitting a copy of the specification which is identical to parent application, Applicants are submitting a copy of the declaration, as filed in the PCT showing the signatures of all the inventors. Applicants respectfully submit that a new declaration is not needed for this divisional application as the specification being submitted is identical to the parent application, thus, does not contain new matter.

Respectfully submitted,



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